

Remarks/Arguments

An information disclosure statement listing the prior art patents mentioned in the specification of the present application is enclosed with this amendment.

In the specification, paragraph [0001] has been amended in accordance with the Examiner's requirement. Paragraph [0001] now reflects the abandonment of patent application Ser. No. 10/217,421, filed August 14, 2002.

Claims 3, 5, 9, 10, 13 and 16 stand objected to for lack of antecedent basis. These Claims are presently amended to correct the lack of antecedent basis. No new matter has been added as a result of the amendments.

Claims 1, 2, 5, 6, 12 and 15-20 stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 3,596,925 to Ritchie. Claims 3, 4, 13 and 14 stand objected to as being dependent upon a rejected base. However, the Examiner has indicated that these claims would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims. Reconsideration and withdrawal of the rejections is respectfully requested.

The present invention is a hitch-aligning system that is attachable to a trailer having a tongue with a forward end that includes a coupling for guiding the coupling to a towing vehicle's trailer hitch. The system comprises an elongated plate having opposed ends and is transversely attachable to the trailer such that the plate ends are extendable outwardly from opposite sides of the trailer's tongue. The plate can be fastened securely to the trailer tongue using a plurality of U-bolts or by welded joints.

A cable winch is attachable adjacent one plate end and a cable attachment point is located at the other plate end. The cable winch can be of the mechanical or electrical type. The

mechanical type winch is operated using a hand crank handle. The cable attachment point can be a hole in the plate or an attached eyelet sized to receive a cable connector such as a cable hook.

The system also includes a cable having one end connected to the winch and a second end that is releasibly attachable to the cable attachment point, whereby the cable attachment point and a cable tension point where the cable departs the winch are equidistantly separated from the trailer's centerline or tongue by a distance that is at least a multiple larger than the trailer coupling to cause a triangulating action that automatically aligns the trailer coupling with the towing vehicle's trailer hitch, whenever the cable is under tension between the winch and trailer hitch and between the trailer hitch and cable attachment point.

The Present Invention Is Not Obvious Over The Cited Reference

The Federal Circuit has ruled on numerous occasions that a holding of "obviousness" requires some motivation, suggestion or teaching within the cited references that would lead one skilled in the art to modify the cited reference or references as claimed by applicant. See, for example, *In re Kotzab*, 217 F.3d 1365, 55 USPQ2d 1313 (Fed. Cir. 2000):

"Most if not all inventions arise from a combination of old elements. See *In re Rouffet*, 149 F.3d 1350, 1357, 47 USPQ2d 1453, 1457 (Fed. Cir. 1998). Thus, every element of a claimed invention may often be found in the prior art. However, identification in the prior art of each individual part claimed is insufficient to defeat patentability of the whole claimed invention. Rather, to establish obviousness based on a combination of the elements disclosed in the prior art, there must be some motivation, suggestion or teaching of the desirability of making the specific combination that was made by the applicant. See *In re Dance*, 160 F.3d 1339, 1343, 48 USPQ2d 1635, 1637 (Fed. Cir. 1998); *In re Gordon*, 733 F.2d 900, 902, 221 USPQ 1125, 1127 (Fed. Cir. 1984). Even when obviousness is based on a single prior art reference, there must be a showing of a suggestion or motivation to modify the teachings of that reference. See *B.F. Goodrich Co. v. Aircraft Breaking Sys. Corp.*, 72 F.3d 1577, 1582, 37 USPQ2d 1314, 1318 (Fed. Cir. 1996)."

The cited Ritchie patent describes a trailer hitch connecting apparatus for pulling the trailer hitch coupling of a trailer to a trailer ball attached to a draw bar of a tow vehicle tow vehicle. The disclosed trailer ball has a bolt that extends through a bore in the draw bar. A cable pulley is coaxially attached to the bolt. The disclosed apparatus also includes a hand cranked cable winch attached to a first transverse plate of the trailer and a cable attachment point located on a second transverse plate of the trailer. A cable having a first end attached to the cable winch and a second end attached to the cable attachment point will pull the trailer towards the trailer ball whenever the cable winch is cranked in a spooling direction while a section of cable is under tension around the trailer ball cable pulley. However, unlike the present invention, Ritchie does not show that the cable attachment point and a cable tension point where the cable departs the winch are equidistantly separated from the trailer's centerline or tongue by a distance that is at least a multiple larger than the trailer coupling to cause a triangulating action that automatically aligns the trailer coupling with the towing vehicle's trailer hitch, whenever the cable is under tension between the winch and trailer hitch and between the trailer hitch and cable attachment point. While Ritchie does show a cable tension point where the cable departs the winch and a cable attachment point that are equidistantly separated from the trailer's tongue, the separation distance taught by Ritchie is far less than a multiple larger than the trailer coupling. Therefore, Ritchie does not teach triangulation to correct any misalignment between the trailer tongue and trailer hitch. In other words, to properly use the trailer hitch connecting apparatus of Ritchie, the trailer and the tow vehicle need to be properly aligned from the outset of a hitching process. In contrast, a trailer and tow vehicle need not be in alignment before using the hitch-aligning system of the present invention. Please see FIG. 7 of the present application for an example of a

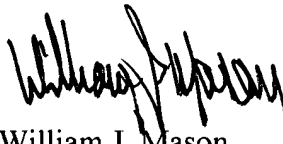
Appl. No. 10/726,796
Amdt. dated September 1, 2004
Reply to Office Action of June 3, 2004

misaligned trailer and tow vehicle. In contrast, Ritchie only teaches using his trailer hitch connecting apparatus to pull together pre-aligned trailers and tow vehicles.

Since Ritchie's trailer hitch connecting apparatus starts operation with a pre-aligned trailer and tow vehicle, Ritchie is not motivated to suggest or teach the hitch-aligning system of the present invention. Accordingly, in the absence of such motivation, suggestion or teaching, the claimed invention cannot be rightfully held to be obvious to one skilled in the art.

In view of the foregoing amendments and for the above reasons, it is now believed that the current application is in condition for allowance. If unresolved issues remain, the Examiner is invited to telephone applicant's agent at the number below.

Respectfully submitted.

A handwritten signature in black ink, appearing to read 'William J. Mason', is written over a horizontal line.

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Please replace paragraph [0001] with the following amended paragraph:

[0001] This application is a continuation-in-part of ~~pending~~ abandoned patent application Ser. No. 10/217,421, filed August 14, 2002.

Appl. No. 10/726,796
Amdt. dated September 1, 2004
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Amendments to the Drawings:

The attached drawing sheet includes changes to FIG. 1. This sheet replaces the original sheet that includes FIG. 1. In FIG. 1, one of the inadvertently duplicated references to item 7 has been removed.

Attachment: Replacement Sheet

Annotated Sheet Showing Change

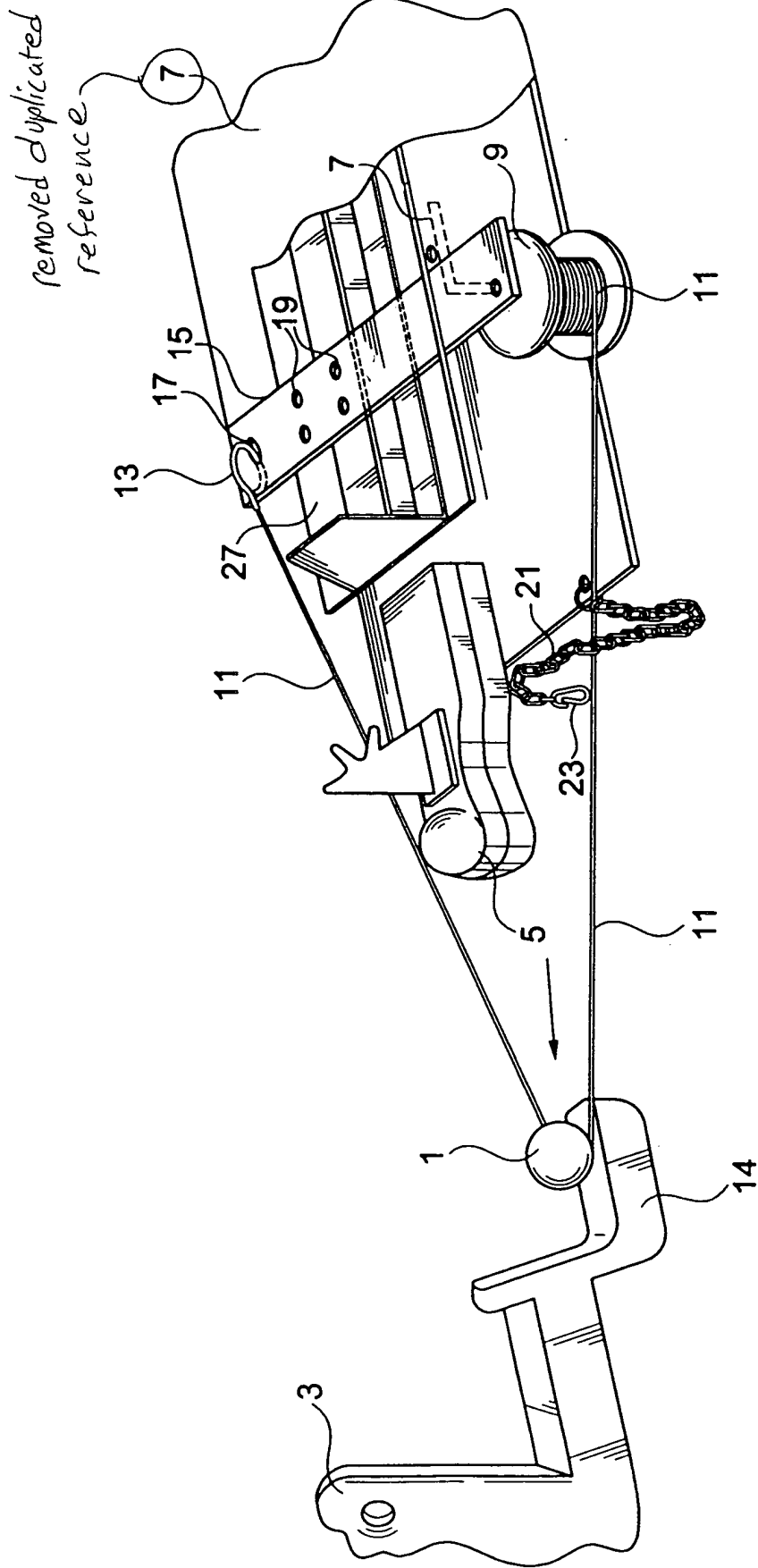


FIG.1